

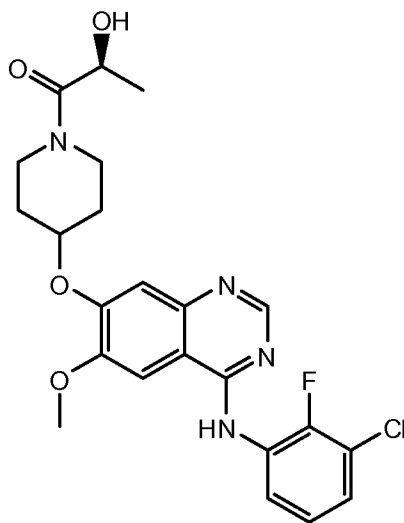
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:) Confirmation No. 5047
Laurent Francois Andre HENNEQUIN <i>et al.</i>)
Application No.: 10/573,090) Group Art Unit: 1624
Filed: March 15, 2006) Examiner: Tamithom Ngo TRUONG
FOR: QUINAZOLINE DERIVATIVES AS)
TYROSINE KINASE INHIBITORS) Date: June 11, 2009

COMMENTS ON STATEMENT OF
REASONS FOR ALLOWANCE

The Notice of Allowance in this application included a statement of Reasons for Allowance on which Applicants wish to make the following comments:

All presently allowed claims in this application involve the compound (2*S*)-1-[4-({4-[3-chloro-2-fluoroanilino]-6-methoxyquinazolin-7-yl}oxy)piperidin-1-yl]-1-oxopropan-2-ol having the structure:



which is the 8th named compound in original claim 21; is the 4th named compound in original claim 22; and is the compound of Example 4[5].

The Reasons for Allowance is stated as follows:

New claims are directed to the elected species which has (-*propanol-1-oxo*)-(piperidin-1-yl)-oxy. The prior arts of record do not teach or fairly suggest such a substituent at the 7-position on a correlative piperidine core.

It is believed that the substituent at the 7-position would be more accurately named as a “1-(propanol-1-oxy)-(piperidin-4-yl)oxy” substituent. However, the Applicant has reviewed the Examiner’s Search Strategy and Results in PAIR, and it seems clear that the Examiner’s search and results were directed toward the elected compound as recited in the allowed claims.

It was pointed out to Examiner Truong by the undersigned in a telephone discussion last week that the Examiner’s Amendment accompanying the Notice of Allowance omitted “ovarian cancer” from the list of cancers now recited in claim 42. It had been agreed during the telephone interview of February 10, 2009 that each of the cancers individually listed in dependent claims 45-51 would be listed in the amended to claim 42. While the listing of cancers added to claim 42 by the Examiner’s amendment does include each cancer named in dependent claims 45 through 50, “ovarian cancer” from dependent claim 51 was erroneously inadvertently omitted. It is understood by the undersigned from a telephone discussion with Examiner Truong on June 9, 2009 that a corrected Examiner’s Amendment has now been made, although it does not yet appear in PAIR.

It is further understood from a telephone discussion with Examiner Truong on June 9, 2009 that the supplemented September 1, 2006 form PTO-1449 that was filed June 5, 2009 per the Examiner’s request (now additionally including the name of the Applicant on each foreign patent document) has been received and will be appropriately initialed to acknowledge consideration of all of the previously submitted documents listed thereon. Examiner Truong agreed to call the undersigned if she was unable to access any of the documents (which the undersigned has verified are present in PAIR). Since no call has been received, it is understood that each document on this supplemented September 1, 2006 form PTO-1449 will be initialed and a copy of the initialed form will be returned to the undersigned.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: June 11, 2009
Morgan Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel. No.: 202-739-3000

By: /Donald Bird/
Donald J. Bird
Registration No. 25,323
Tel. No.: (202) 739-5320
Fax No.: (202) 739-3001